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adapted to display said image of said display character at said viewing area, and said display screen being removable for at least one of replacement, repair, and upgrade, wherein said display screen shifts said image from said light emitting display element by at least one of refraction and diffraction to align said image with a central portion of said viewing area.

40. (Amended)

The vehicle interior rearview mirror system according to Claim 28, wherein said display screen includes an outer surface and at least one inner surface angled with respect to said outer surface whereby said display screen shifts said image by refraction.

44. (Amended)

The vehicle interior rearview mirror system according to Claim 44, wherein said display screen shifts said image by diffraction.

REMARKS

Applicants acknowledge the Examiner's review of the specification, claims, and drawings. In light of the above amendments and following remarks, Applicants respectfully request reconsideration of the present application. The amendments and remarks presented herein are fully supported by the application as originally filed. No new matter has been entered.

STATUS OF THE CLAIMS:

Claims 1-17, 19-38, and 40-58 are pending in the application. Claims 18 and 39 have been cancelled herein.

CLAIM REJECTIONS:

The Examiner rejects Claims 1-58 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 6,201,642 to Bos.

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Applicants respectfully traverse. Applicants respectfully urge that the Examiner has failed to establish a prima facie case of obviousness. Initially, the Examiner has failed to establish that the prior art discloses or suggests each of the claim limitations as called for in the claim. For example, the Examiner has not established that Bos teaches a carrier located at a viewing location in a mirror case. However, the Examiner concludes "[i]t would have been obvious to a person of ordinary skill in the art at the time the invention to utilize the apparatus taught by Bos, then modify the apparatus by locating [a] carrier at a viewing location, to obtain the apparatus modified because it would result in better and accurate vision from the driver without spending effort to reach the user input devices (sic)."

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation either in the references themselves or in the knowledge generally available to one of ordinary skill in the art to modify the reference or combine the reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference or references when combined must teach or suggest all the claimed limitations. The teaching or suggestion to make the claim combination and reasonable expectation of success must both be found in the prior art and not based on Applicant's disclosure. *In re Vaack*, 947 F.2d 488, 20 U.S.P.Q.2d 1438 (Fed. Cir. 1991). See MPEP § 2143. Furthermore, all words in a claim must be considered in judging patentability of a claim against the prior art. *In re Fine*, 873 F.2d 1071, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988); and *In re Wilson*, 424 F.2d 1382, 165 U.S.P.Q. 494 (CCPA 1970).

Applicants respectfully urge that Bos does not disclose or suggest the claimed combination. For example, Bos does not disclose or suggest a user actuable device

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positioned at a carrier that is located at a mirror case. Notwithstanding, Applicants have amended Claim 1 to incorporate the limitations of Claim 18, which calls for:

A vehicle rearview mirror system comprising:
 a rearview mirror case having a reflective element,
 said mirror case being adapted to mount to a portion of a vehicle
 and including a carrier;
 said carrier located at a viewing location at said
 mirror case; and
 at least one user-actuable interface device
 positioned at said carrier whereby at least one of a driver and an
 occupant of the vehicle can interface with said user-actuable
 interface device, wherein said user actuable interface device
comprises a user actuable button for actuating a vehicle function.

Applicants respectfully urge that Bos does not disclose or suggest a user-actuable interface device at a carrier, which is located at a mirror case, or the user actuable device comprising a user actuable button. Therefore, Applicants respectfully urge that Claim 1 and its dependent claims, namely Claims 2-10 and 19-27, are patentably distinguishable over Bos alone or in combination with any other reference of record.

With reference to Claim 11, Claim 11 has been amended to be in independent form which now calls for:

[The] A vehicle rearview mirror system [according to Claim 10] comprising:
a rearview mirror case having a reflective element,
said mirror case being adapted to mount to a portion of a vehicle
and including a carrier;
said carrier located at a viewing location at said
mirror case;
at least one user-actuable interface device positioned at said
carrier whereby at least one of a driver and an occupant of the
vehicle can interface with said user-actuable interface device;
and
a display element having at least one display
character emitting a pattern of light to form a display image, said
carrier providing a display screen, said display element disposed

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behind said display screen, and said display screen displaying said at least one display image at said viewing location for viewing by at least one of a driver and an occupant of the vehicle, said display screen having a central viewing area generally aligned along a viewing axis, said display image on said display element being offset from said viewing axis, and said display screen shifting said display image on the display element to said central viewing area of said display screen.

Applicants respectfully urge that Bos does not disclose or suggest the claimed combination. For example, Bos does not disclose or suggest a carrier providing a display element, which is disposed behind a display screen, with the display screen displaying at least one image at a viewing location for viewing by one of a driver or an occupant of the vehicle with the display image on the display element being offset from a viewing axis of the display screen, and with the display screen shifting the display image on the display element to the central viewing area of the display screen, as called for in the claims. Therefore, Applicants respectfully urge that Claim 11 and its dependent claims, namely Claims 12-17, are patentably distinguishable over Bos alone or in combination with any other reference of record.

With reference to Claim 28, Claim 28 has been amended to incorporate the limitations of Claim 39, which now calls for:

A vehicle interior rearview mirror system
 comprising:
 a rearview mirror case having a reflective element,
 said mirror case being adapted to mount to an interior portion of a
 vehicle;
 a light emitting display element for displaying at
 least one display character emitting a pattern of light to form an
 image; and
 a display screen being provided at said mirror case,
 said display screen being releasably mounted to said mirror case
 and including a viewing area, said display screen adapted to

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display said image of said display character at said viewing area, and said display screen being removable for at least one of replacement, repair, and upgrade, wherein said display screen shifts said image from said light emitting display element by at least one of refraction and diffraction to align said image with a central portion of said viewing area.

Applicants respectfully urge that Bos does not disclose or suggest the claimed combination. For example, Bos does not disclose or suggest providing a display screen in a rearview mirror system, which shifts an image emitted from a light emitting display element by at least one of refraction or diffraction to align the image with a central portion of the viewing area of a display screen. Nor does Bos disclose or suggest a display screen being releasably mounted to a mirror case wherein the display screen is removable for at least one of replacement, repair, and upgrade. Therefore, Applicants respectfully urge that Claim 28 and its dependent claims, namely Claims 29-38 and 40-49, are patentably distinguishable over Bos alone or in combination with any other reference of record.

With respect to Claim 50, Applicants respectfully traverse. Claim 50 calls for:

A prismatic interior rearview mirror system for a vehicle, said mirror system comprising:
 a mirror case having a reflective element;
 a support adapted to mount to an interior portion of a vehicle, said mirror case being pivotably mounted to said support; and
 a toggle assembly adapted to pivot said mirror case and said reflective element about said support between a day position and a night position, said toggle assembly including a grasping member having a base and an outer surface, at least said base comprising a first material having a first hardness, at least a portion of said outer surface comprising a second material having a second hardness wherein said first hardness is greater than said second hardness.

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The Examiner has failed to address each and every limitation called for in Claim 50 and has, therefore, failed to establish how Bos discloses or suggests the claimed combination. Therefore, Applicants respectfully submit that the Examiner has failed to establish a prima facie case of obviousness. Furthermore, Applicants respectfully submit that Bos does not disclose or suggest a prismatic interior rearview mirror assembly that includes a toggle assembly that is adapted to pivot a mirror case and a reflective element about a support between a day position and a night position, with the toggle assembly including a grasping member having a base and an outer surface, with at least the base comprising a first material having a first hardness and at least a portion of the outer surface comprising a second material having a second hardness wherein the first hardness is greater than the second hardness. Therefore, Applicants respectfully submit that Claim 50 and its dependent claims, namely Claims 51-58, are patentably distinguishable over Bos alone or in combination with any other reference of record.

Accordingly, in light of the above amendments and remarks, Applicants respectfully request reconsideration of the present application and a Notice of Allowance of all claims, namely, Claims 1-17, 19-38, and 40-58.

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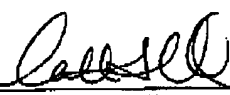
Should the Examiner have any questions or comments, the Examiner is
invited to contact the undersigned at (616) 975-5506.

Respectfully submitted,

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By: Van Dyke, Gardner, Linn & Burkhardt, LLP

February 3, 2003
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APPENDIX OF CLAIMS

1. (Amended)

A vehicle rearview mirror system comprising:
a rearview mirror case having a reflective element, said mirror case being adapted to mount to a portion of a vehicle and including a carrier;
said carrier located at a viewing location at said mirror case; and
at least one user-actuatable interface device positioned at said carrier whereby at least one of a driver and an occupant of the vehicle can interface with said user-actuatable interface device, wherein said user actuatable interface device comprises a user actuatable button for actuating a vehicle function.

11. (Amended)

[The] A vehicle rearview mirror system [according to Claim 10] comprising:
a rearview mirror case having a reflective element, said mirror case being adapted to mount to a portion of a vehicle and including a carrier;
said carrier located at a viewing location at said mirror case;
at least one user-actuatable interface device positioned at said carrier whereby at least one of a driver and an occupant of the vehicle can interface with said user-actuatable interface device; and
a display element having at least one display character emitting a pattern of light to form a display image, said carrier providing a display screen, said display element disposed behind said display screen, and said display screen displaying said at least one display image at said viewing location for viewing by at least one of a driver and an occupant of the vehicle, said display screen having a central viewing area generally aligned along a viewing axis, said display image on said display element being offset from said viewing axis, and said display screen shifting said display image on the display element to said central viewing area of said display screen.

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19. (Amended)

The vehicle rearview mirror system according to Claim [18] 1, further comprising a light source, said light source illuminating said user-actuatable button.

28. (Amended)

A vehicle interior rearview mirror system comprising:

a rearview mirror case having a reflective element, said mirror case being adapted to mount to an interior portion of a vehicle;

a light emitting display element for displaying at least one display character emitting a pattern of light to form an image; and

a display screen being provided at said mirror case, said display screen being releasably mounted to said mirror case and including a viewing area, said display screen adapted to display said image of said display character at said viewing area, and said display screen being removable for at least one of replacement, repair, and upgrade, wherein said display screen shifts said image from said light emitting display element by at least one of refraction and diffraction to align said image with a central portion of said viewing area.

40. (Amended)

The vehicle interior rearview mirror system according to Claim [39] 28, wherein said display screen includes an outer surface and at least one inner surface angled with respect to said outer surface whereby said display screen shifts said image by refraction.

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44. (Amended)

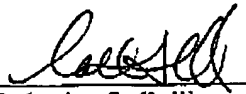
The vehicle interior rearview mirror system according to Claim [39] 44,
wherein said display screen shifts said image by diffraction.

Respectfully submitted,

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